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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/574,727

04/06/2006

David Kren

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06/23/2009

Saul Ewing LLP (Philadelphia)

Attn: Patent Docket Clerk

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EXAMINER

RUTLEDGE, AMELIA L

ART UNIT

PAPER NUMBER

2176

MAIL DATE

DELIVERY MODE

06/23/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/574,727	Applicant(s) KREN, DAVID	
	Examiner AMELIA RUTLEDGE	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/6/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the following communications: original application, filed 04/06/2006; Information Disclosure Statement, filed 04/06/2006.
2. Claims 1-15 are pending. claims 1, 8, and 9 are independent claims.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Applicant is advised that should independent claim 8 be found allowable, independent claim 9 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Girardot, et al., "Millau: an encoding format for efficient representation and exchange of XML over the web", ("Millau"), Elsevier Science Publishers, June 2000, p. 1-21, as cited in IDS filed 04/06/2006.

Regarding independent claim 1, Millau teaches *a computing device programmed with a client that can operate with a parser or generator for both text and binary mark up languages*; because Millau teaches a binary SAX parser (p. 7, Sect. 4.2), and a DOM parser for an XML stream (p. 8, Sect. 4.3). Millau teaches a computing device programmed with a client to operate the parsers (p. 16-17, Fig. 2).

Millau teaches *in which the client uses a unique integer value that can be interpreted in an index of elements, attributes and attribute values needed to describe a particular type of mark-up document*, because Millau teaches defining integer tokens for the tag code space, i.e., elements, the attribute names code space and the attribute value code space (p. 5-7; Table 2).

Millau teaches *the index mapping that unique integer value (a) to a token associated with a predefined element, attribute or attribute value to enable a token based mark up language to be handled*; because Millau teaches defining integer tokens for the tag code space, i.e., elements, the attribute names code space and the attribute value code space (p. 5-7; Table 2).

Millau teaches *and also (b) to a string associated with a predefined element, attribute or attribute value to enable to enable a string based mark up language to be*

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handled; because Milau teaches mapping the token values to an associated string (p. 5-7; Table 2).

Regarding dependent claim 2, Millau teaches the device of Claim 1 in which the text mark up language is XML and the binary mark up language is WBXML, at p. 3.

Regarding dependent claim 3, Millau teaches the device of Claim 1 in which a table of mappings of each of the tokens to each of the strings is created and each mapping is given one of the unique integer values (p. 7-8).

Regarding dependent claim 4, Millau teaches the device of Claim 3 in which two lists of unique integer values are created: one indexed on tokens and the other indexed on the index of the position of a string in a string pool table, because Milau teaches a hash table, i.e. a string pool table (p. 9-10, Sect. 4.6).

Regarding dependent claim 5, Millau teaches the device of Claim 1 in which there is an extensible framework that accepts one or more mark-up language parsers and/or generators, each implemented as plug-ins to the framework, with different plug-ins enabling different kinds of mark up languages to be handled by the device, because Millau discloses a client server application using parsers implemented as plug-ins enabling different kinds of markup languages (p. 16-17, Sect. 6.1).

Regarding dependent claim 6, Millau teaches in which there is a namespace plug-in to the extensible framework that sets-up all the elements, attributes and attribute values for a namespace, because Milau teaches defining integer tokens for the tag code space, i.e., elements, the attribute names code space and the attribute value code space (p. 5-7; Table 2).

Regarding dependent claim 7, Millau teaches the device of Claim 6 in which the index is encapsulated in the namespace plug-in and therefore is insulated from the client, parser and generator, because Millau teaches converting markup languages using an existing plugin, and then using the Millau plug in which is encapsulated (p. 16-17, Sect. 6.1).

Regarding independent claim 8 and dependent claims 10-15, claims 8-15 are directed to the method of parsing a markup language document to be implemented by the device as claimed in claims 1-7, and is rejected along a similar rationale.

Regarding independent claim 9, claim 9 is substantially similar to claim 8, and is rejected along the same rationale.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rizzolo, et al., "Indexing XML Data with ToXin", Proceedings of WebDB 2001, p. 49-54, published 2001.

Wang et al. U.S. Patent No. 6,119,079 issued September 2000

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AMELIA RUTLEDGE whose telephone number is (571)272-7508. The examiner can normally be reached on Monday - Friday 9:30 - 6:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Amelia Rutledge/
Primary Examiner, Art Unit 2176